

THE LAW OFFICE OF
DELVIS MELÉNDEZ

Concentrating in Employment & Labor Law



August 25, 2020

90 BRADLEY STREET
BRENTWOOD, NEW YORK 11717
(631) 434-1443
WWW.DELVISMELENDEZ.COM

VIA ECF

Hon. Joan M. Azrack
United States District Judge
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: Marcos Mejia, et al. v. Gulf2Bay Softwash Corp. et al.,
Civ. No.: 19-cv-05286

Dear Judge Azrack:

On or about June 26, 2020, the parties filed their Cheeks application seeking approval of settlement agreement [DE 27]. Your Honor participated in the settlement conference that brought about the agreement. That application remains pending Your Honor's approval.

While, the documents were all executed and submitted to the Court for approval defendants have failed to provide the Plaintiffs with wet ink copies of the Settlement Agreement and Confessions of Judgment. Defendants' counsel has been contacted numerous times to provide original copies of the settlement documents. Each time a promise that the documents will be forthcoming is advanced. However, to date the undersigned has not received the documents. Most disturbing is the fact that defendants asked for original copies of the Settlement Agreements and were provided with same within two days.

In the instant, case Plaintiffs have been requesting original copies of the Settlement Agreement and Confessions of Judgment for months. Plaintiffs insistence on the original signatures is predicated on the fact that in the event of a default of the settlement payout, the Agreement allows for the filing of the Confessions of Judgment. However, the Suffolk County Clerk will not allow copies of the Confessions of Judgment to be filed. As such, the documents that are in Plaintiffs possession are not enforceable, in the event of a breach. The situation can be easily remedied by Defendants providing the documents with the original signatures. However, despite repeated efforts to avoid court intervention, Plaintiffs are forced to burden the court. We respectfully request that the Court Order Defendants to provide a copy of the Settlement Agreement and Confessions of Judgments with original signatures.

Respectfully submitted,

s/s Delvis Melendez

C.C. Jackson Lewis, P.C.
Noel Tripp, Esq.
58 South Service Rd., Ste. 250
Melville, New York 11747